



TIBET JUSTICE CENTER

Advocating human rights and self-determination for the Tibetan people.

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Tibet Justice Center Releases *Tibet's Stateless Nationals II: Tibetan Refugees in India*

For Immediate Release

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www.tibetjustice.org/indiareport

September 13, 2011 -- Tibet Justice Center (TJC) today released *Tibet's Stateless Nationals II: Tibetan Refugees in India*, a comprehensive report that documents and analyzes the legal status of Tibetan refugees living in exile in India.

The product of more than seven years of meticulous research, *Tibet's Stateless Nationals II* provides information that attorneys aiding Tibetan asylum seekers may need to establish that, with few exceptions, India does not offer Tibetan refugees any formal legal status or rights comparable to those of Indian citizens. This often emerges as a major issue in asylum cases on behalf of Tibetans because most Tibetans fleeing persecution must traverse Nepal and India in order to reach a safe haven, and U.S. law precludes asylum if an asylum seeker has been "firmly resettled" in a third state, such as India, before seeking asylum in the United States. The Bureau of Immigration and Citizenship Services often argues that Tibetans can resettle in India. TJC found that, in the vast majority of cases, they cannot.

"The heart of the report is a comprehensive examination of the legal context that exile Tibetans, either born in India or arriving from Tibet face as they seek asylum," said Robert D. Sloane, a member of the TJC board of directors who coordinated and helped with the research and editing of the report.

Tibet's Stateless Nationals II begins with an executive summary, which has been written from a historical perspective and in a style that is readily accessible to a general audience interested in understanding the core issues confronting Tibetan refugees living in India. "Educating a broad audience, both Tibetans and those who wish to assist Tibetans, is one of the main goals of the report," said John Isom, executive director of TJC.

The executive summary is followed by a more thorough examination of the legal conditions under which Tibetans live in India. This section, richly referenced with both legal scholarship and dozens of interviews, includes more than three hundred footnotes and references, dozens of active URLs, and

seventy pages of appendices. It was essential that *Tibet's Stateless Nationals II* provide a complete set of reference materials to accompany the basic narrative and analysis of conditions that Tibetans face in India," said Mr. Isom.

The report concludes with a set of appendices, including lengthy documentation of Indian statutes related to immigration and citizenship, a summary of Chinese laws regarding nationality and citizenship, and examples of legal documents that Tibetans are issued in India.

Of particular importance is a summary and analysis of a recent legal case heard by the High Court of Delhi regarding the citizenship status of those born on Indian soil between January 26, 1950 and July 1, 1987. The case, *Namgyal Dolkar v. Ministry of External Affairs*, may affect Tibetans born in India within the aforementioned years, for they might enjoy what is referred to as birthright citizenship.

Tibet's Stateless Nationals II is now available as a PDF download at the Tibet Justice Center website: www.tibetjustice.org/indiareport. Later this fall TJC will publish a limited number of hardcopy reports, available for \$25, including domestic shipping. Interested parties should contact tjc@tibetjustice.org, no later than November 1, 2011, to request a hardcopy.

About Tibet Justice Center

Tibet Justice Center – formerly the International Committee of Lawyers for Tibet – is a non-governmental organization comprised of Tibetan and American lawyers, law professors, and advocates who for over twenty years have used legal action and education to advocate for human rights and self-determination for the Tibetan people.

Our ongoing mission includes legal scholarship and advocacy to help Tibetans with immigration and asylum matters. In 2002 TJC published *Tibet's Stateless Nationals I: Tibetan Refugees in Nepal* to help the legal community better assist exile Tibetans in Nepal, and we continue to contribute a range of reports, submissions to the United Nations, and other initiatives related to Tibetan human rights, democracy, and governance. Please visit www.tibetjustice.org for more information.